

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 7, 8, 11, and 14 through 17 are pending, with Claims 1 and 11 being independent. Claims 1 and 11 have been amended.

Claims 1, 7, 8, 11 and 14 through 17 are rejected under 35 U.S.C. § 103 over US 5,904,492 (Straub, et al.) in view of US 2003/0151621 A1 (McEvelly, et al.) and newly-cited 5,890,080 (Coverdill, et al.). All rejections are respectfully traversed.

Claims 1 and 11 recite, *inter alia*, receiving from a broadcasting wave (1) a digital television signal and (2) a software program including GUI data, the software program further including compatibility information which is used to *control the installation of the GUI data*, in combination with controlling the installation of the GUI data based on the compatibility information such that if it is discriminated based on the compatibility information that the GUI data adapts to the receiver, then it is discriminated whether the keyword information matches.

However, Applicants respectfully submit that none of Straub, et al., McEvelly, et al., and Coverdill, et al., even in the proposed combinations, assuming, *arguendo*, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 11.

The Official Action acknowledges that Straub, et al. and McEvelly, et al. are silent as to such features, and therefore relies upon Coverdill, et al. (e.g., col. 2, lines 25-60) which the Official Action says shows compatibility information to discriminate whether data included in the software program. Applicants respectfully traverse the foregoing. Applicants respectfully submit that Coverdill, et al. discloses, e.g., the control unit or an external computer can query the ECUs on the data link to determine which components are installed and to obtain more specific

data about the installed components, whereby the control unit identifies the installed components and stores a list of the installed components; the list can be downloaded and displayed for use in analyzing the compatability of the installed components (e.g., col. 2) — in other words, Coverdill, et al.'s system management is effected *after the installation* of the electronic equipment, and therefore is unrelated to compatability information which is used to control the installation as claimed.

Applicants further respectfully submit that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Daniel S. Glueck/
Daniel S. Glueck
Attorney for Applicants
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200
DSC/jjr

FCIS_WS 3823090v1